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A Treatise on the Law of the Customs. By WEBSTER ELMES.
Boston, Little, Brown & Co., 1887. — 8vo, xxxii, 532 pp.

The agitation now going on in Congress over the revision of the tariff makes the appearance of this book timely and its examination profitable. Mr. Elmes's work is not original in its nature ; he does not pretend to advance any views of his own on the history of customs legislation, or on its influence upon the economic condition of the country. *The Law of the Customs* is a careful, clear, and systematic treatise on the working of the laws that govern the assessment and collection of duties on importations. The book is primarily of value to the merchant seeking trustworthy information ; but the copious marginal references to decisions of the United States courts in customs cases make it no less worthy of the attention of the lawyer and of the student of administration. The method of treatment adopted is the discussion of the various stages through which an importation goes, or may go, from the moment of purchase to the discharge from the custom house. Besides this, the author discusses the subjects of ships and vessels, officers of the customs, smuggling, and the rules for the construction of customs laws. The success with which the work of condensation has been accomplished is evident, when we remember that since the adoption of the present tariff on March 3, 1883, the department decisions fill every year a volume of about the size of Mr. Elmes's book.

Omitting all considerations of the merits of an *ad valorem* tariff from an economic or financial standpoint, the demerits of the present tariff in the eyes of the administrative lawyer are very prominent. The "market value," upon which all *ad valorem* tariffs are based, is practically a fiction. The same class of goods, on the same day, is sold to different purchasers at prices which vary in accordance with the size of the transaction and the credit of the buyer, the accumulation of stock and the need of money on the part of the seller, and many other conditions. The appraiser, moreover, must pass on goods which have a fictitious value, due to the fluctuating dictates of fashion, with which, being neither a buyer nor a seller, he cannot possibly be acquainted. The affixing of a consular certificate — which is purely a perfunctory act, inasmuch as the consul is equally ignorant of the market — deserves and receives no respect from the appraiser. The necessity of making out invoices in triplicate, and of paying a consular fee of \$2.50 on each, is another anomaly. The most vexatious and least equitable feature of the system is the re-appraisement. If an importer feels that he has been wronged by the appraiser, his first appeal for redress must be directed to a tribunal composed of his rivals in business. To these he must disclose the name of the merchant from whom he buys his wares, and inci-

dentally the source of his livelihood, thus destroying the fruits of his superior industry, prudence, and thrift. Rather than submit to this, the importer will often add such an amount to the price set down in the invoice as will satisfy the most captious appraiser. The law now compels him to commit perjury; for he must swear that his addition causes the invoiced price to equal the market value, although he may know that the invoiced price plus the addition exceeds the market value by many dollars. That the importer in collusion with the examiner may defraud the government of much money and ruin his commercial rivals, and by means of political influence may secure the removal of a treasury official who refuses to swerve from the paths of duty, are facts that require no demonstration.

Thus it is evident that the customs laws work an injury to the government and to the importer; and it is not the least among their defects that they undermine the self-respect of the citizen, and destroy his respect for the law of the land.

ROBERT WEIL.

Taxation: Its Principles and Methods. Translated from the *Scienza della Finanze* of Dr. LUIGI COSSA, with an introduction and notes by HORACE WHITE, together with a compilation of the state tax systems of New York and Pennsylvania. Putnam's Sons, 1888.

The appreciation with which students have greeted Dr. Cossa's little volume is shown by the fact that it has already been translated into the German, Swedish, Polish, Russian, and Spanish languages. No unworthy book could have met with such a hearty reception, and when we look into this, the American edition, it is at once seen to possess those peculiar merits which we have learned to expect in all that Professor Cossa writes. Its definitions are clear, its statements simple, and its classification comprehensive. An illustration of the simplicity of the author's distinctions may not be out of place. One who has studied German text-books on the science of finance knows how hard it is to grasp the discussions which they contain on the subject of *Gebühren*. The reader learns that the payments which go under this name are payments for specific services, but the line to be drawn between fees and taxes he finds somewhat difficult to trace. Notice how clearly and concisely Professor Cossa puts this point:

In scientific language, fees, costs, and charges are the remuneration for public services which are rendered to private individuals at their request. They differ, therefore, from ordinary taxes:

1st. By their object, because the former refer to special services that have been voluntarily sought, and the latter to general services that have been compulsorily offered.